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GOVERNMENT OF KERALA

Revenue (N) Department

NOTIFICATIONS

I

No. 48286/N1/79-1/RD. *Dated, Trivandrum, 5th April* 1980.

S. R. O. No. 369/80.—In exercise of the powers conferred by section 129 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendments to the Kerala Land Reforms (Tenancy) Rules, 1970, issued under Notification No. 3/70/LRD. dated the 1st January 1970 and published as S.R.O. No. 3/70 in the Kerala Gazette Extraordinary dated the 1st January, 1970, as subsequently amended, namely:—

AMENDMENTS

1. *Short title and commencement.*—(1) These rules may be called the Kerala Land Reforms (Tenancy) Amendment Rules, 1980.

(2) They shall come into force at once.

2. In the Kerala Land Reforms (Tenancy) Rules, 1970,—

(1) rules 21 and 22 shall be omitted;

(2) in rule 23,—

(a) in sub-rule (1), for the words "If the tenant does not deposit the amount due from him", the following shall be substituted, namely:—

"If the tenant does not deposit the amount due from him before the Land Tribunal within the time specified in sub-section (3) of section 26 or";

(b) in sub-rule (2), for the words, figures and brackets "deposited under sub-section (7) of section 73", the words, figures and brackets "deposited under sub-section (3) of section 26 or sub-section (7) of section 73, as the case may be," shall be substituted;

(3) after rule 59, the following shall be inserted, namely:—

"Nomination

59A. *Manner of nomination.*—The nomination under the proviso to sub-section (7) of section 63 shall be made in Form No. 26A";

(4) after rule 89 and before "Chapter III", the following rule shall be inserted, namely:—

"89A. *Manner of nomination.*—The nomination under the proviso to sub-section (6) of section 80 E shall be made in Form No. 26A.";

(5) Form No. 7 shall be omitted;

(6) after Form No. 26, the following form shall be inserted, namely:—

"FORM No. 26A

Nomination

(*See* rules 59A & 89A)

I, (Name & address).. hereby nominate the person mentioned below to receive the amount of purchase price/value of encumbrance/maintenance/alimony payable to me in the event of my death before that amount is paid to me.

Name and full address of the nominee:

Relationship with the person entitled to the amount:

Particulars of the amounts payable (whether the amount payable is towards purchase price/value of encumbrance/alimony etc.)

Place:

Date:

Signature of the person making nomination.

Witnesses:	Name & address	Signature
	1.	
	2. ....".	

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

Section 26 of the Kerala Land Reforms Act, 1963 has been amended by the Kerala Land Reforms (Amendment) Act, 1979 to provide for the recovery of arrears of rent under the provisions of the Kerala Revenue Recovery Act, 1968. So also sections 63 and 80E of the Kerala Land Reforms Act, 1963 have been amended to enable a person entitled to the purchase price, value of encumbrance, maintenance or alimony under the said sections to nominate any member of his family to receive the same in the event of his death. Consequential amendments to the Kerala Land Reforms (Tenancy) Rules, 1970 are necessary. This notification is intended to achieve the above object.

II

No. 48286/N1/79-2/RD. *Dated, Trivandrum, 5th April* 1980.

S. R. O. No. 370/80.—In exercise of the powers conferred by section 129 of the Kerala Land Reforms Act, 1963 (1 of 1964), the Government of Kerala hereby make the following amendments to the Kerala Land Reforms (Vesting and Assignment) Rules, 1970, issued in G.O. (P) No. 21/70/LRD dated the 12th January, 1970 and published as S.R.O. No. 31/70 in the Kerala Gazette Extraordinary No. 25 dated the 12th January, 1970, as subsequently amended, namely:—

Amendments

1. *Short title and commencement.*—(a) These rules may be called the Kerala Land Reforms (Vesting and Assignment) Amendment Rules, 1980.

(b) They shall come into force at once.

2. In the Kerala Land Reforms (Vesting and Assignment) Rules, 1970,—

(a) after rule 13, the following rule shall be inserted, namely:—

"13A. *Manner of nomination.*—The nomination under the proviso to sub-section (8) of section 72H shall be made in Form J2";

(b) after Form J1, the following form shall be inserted, namely:—

"FORM J2

Nomination

(*See* rule 13A)

I, (Name and address)...
hereby nominate the person mentioned below to receive the amount of compensation/value of encumbrance/maintenance/alimony payable to me in the event of my death before that amount is paid to me.

Name and full address of the nominee:

Relationship with the person entitled to the amount:

Particulars of the amounts payable (whether the amount payable is towards compensation/value of encumbrance/ alimony etc.):

Place:

Date:

Signature of the person making nomination

Witnesses:	Name and address	Signature
1.	....	
2.	.................................."	

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Section 72H of the Kerala Land Reforms Act, 1963 has been amended by the Kerala Land Reforms (Amendment) Act, 1979 to enable a person entitled to compensation under the said section to nominate any member of his family to receive the same in the event of his death. The Kerala Land Reforms (Vesting and Assignment) Rules, 1970 have to be amended in accordance with the above amendment. This notification is intended to achieve this object.

III

No. 48286/N1/79-3/RD. *Dated, Trivandrum, 5th April* 1980

S. R. O. No. 371/80.—In exercise of the powers conferred by sub-section (2) of section 17 of the Kerala Land Reforms (Amendment) Act, 1979 (27 of 1979), the Government of Kerala hereby make the following Rules, namely:—

The Kerala Land Reforms (Redetermination of Purchase Price and Compensation or Annuity) Rules, 1980

1. *Short title and commencement.*—(1) These rules may be called the Kerala Land Reforms (Redetermination of Purchase Price and Compensation or Annuity) Rules, 1980.

(2) They shall come into force at once.

2. *Definition.*—Unless the context otherwise requires, words and expressions used in these rules shall have the meanings respectively assigned to them in the Kerala Land Reforms Act, 1963 (1 of 1964).

3. *Redetermination of purchase price and compensation or annuity.*—(1) An application for redetermination of purchase price and compensation or annuity under sub-section (1) of section 17 of the Kerala Land Reforms (Amendment) Act, 1979 shall be in Form A.

(2) The application referred to in sub-rule (1) shall be made before the 7th day of July, 1980, to the Land Tribunal in whose jurisdiction the holding in respect of which such redetermination is required, is situate.

(3) Any amount paid to a landowner or intermediary as compensation in excess of the amount payable under the order passed under sub-section (1) of section 17 of the Kerala Land Reforms (Amendment) Act, 1979 shall be refunded by the landowner and the intermediary, if any, to the Government within six months from the date of the said order.

(4) Any amount paid by the cultivating tenant in excess of the amount payable by him under the order referred to in sub-rule (3) shall be refunded to him by the Land Tribunal within six months from the date of the said order.

Form A

Application for redetermination of purchase price paid by cultivating tenants

Application No............of 1980

1. Name(s) and address(es) of the applicant(s)

Name(s) and address(es) of respondent(s)

2. Particulars of the holding assigned:
   (a) District, Taluk and Village in which the holding is situate:
   (b) Survey No. with extent assigned:
   (c) No. of O.A./S.M.C., date of order and the name of the Land Tribunal who passed orders:

3. Amount of purchase price originally fixed by the Land Tribunal taking into account contract rent calculated without deducting interest, tax or cess referred to in Explanation II to section 27 of the Kerala Land Reforms Act, 1963:

4. Amount of interest, tax or cess paid and to be deducted from the contract rent:

Applicant(s) (1) Signature ....

(2) Signature ....

Place:

Date:

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

Section 17 of the Kerala Land Reforms (Amendment) Act, 1979 provides for redetermination of the purchase price and compensation or annuity payable in respect of a holding referred to in Explanation II to section 27 of the principal Act as amended by the above Act. An application to be made by the cultivating tenant for this purpose has to be prescribed. So also the period within which the excess amount of compensation paid to the landowner and intermediary has to be refunded by them to Government and the excess amount of purchase price paid by the cultivating tenant has to be refunded to him, has to be prescribed. This notification is intended to achieve the above objects.

By order of the Governor,

L. VIJAYAMMA,

Under Secretary to Government.

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